

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 1st day of March, 2010 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Phillip Hyatt, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Reggie Winters, City Manager
Allen Lawrence, City Attorney
Yvonne Stonebraker, City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Paul Alvarado, Public Works Director
Frank Truitt, City Inspector

OTHERS PRESENT: Lu & Ralph Arcemont, Jim & Alpha Covington, Sandy Kubek, Tom Morse, Derald Burlington, Marilyn Rimer/Herald Newspaper, Donald Brummett, Michael Cary/ A. P. Progress, Earl Buckmaster, Steve Flynn, Capt. Tom & Linda Doran, Hope Pena, Rosemary Vega/Chamber of Commerce and Jim Garner

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on March 1, 2010.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

ITEM 3. CONSENT AGENDA *“All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.”*

A. CONSIDER AND ACT ON APPROVING THE MINUTES OF FEBRUARY 15, 2010.

B. CONSIDER AND ACT ON RESOLUTION 2010-630 VOTING ALL 61 VOTES ALLOTTED TO THE CITY OF ARANSAS PASS TO DOIL KELLER FOR THE SAN PATRICIO APPRAISAL BOARD OF DIRECTORS.

Mayor Pro Tem Attaway made a motion to approve the consent agenda. Council Member Mayer seconded the motion and the motion carried unanimously.

ITEM 4. CONSIDER AND ACT ON A CONTRACT AND LEASE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND TOM E. DORAN, INDIVIDUALLY, AND HANDSOME SAILOR YACHT CHARTERS, INC.

Mr. Doran stated he had turned in a copy of his Insurance Certificate and his Certificate of Account Status with the Texas Comptroller of Public Accounts to the City Secretary.

Mayor Pro Tem Attaway made a motion to approve a Contract and Lease Agreement between the City of Aransas Pass and Tom E. Doran, Individually, and Handsome Sailor Yacht Charters, Inc. Council Member Hyatt seconded the motion and the motion carried unanimously.

ITEM 7. CONSIDER AND ACT ON APPROVING A FACILITY LICENSE AGREEMENT FOR

THE SOFTBALL FIELD COMPLEX BETWEEN THE CITY OF ARANSAS PASS AND ROLAND PENA.

City Manager Reggie Winters stated he and Mr. Pena had discussed the Facility License Agreement together. He stated Mr. Pena should pay a monthly fee of \$700.00 (Seven Hundred Dollars).

"Mrs. Hope Pena spoke on behalf of her husband, Roland Pena and stated she and her husband had submitted a paper showing how much they had spent on the upkeep of the fields and is requesting that the monthly fe drop to \$500.00 per month.

Mrs. Pena stated her and her husband had submitted a paper showing how much they had spent on the upkeep of the fields and is requesting the monthly fee drop to \$500.00 (Five Hundred Dollars) a month. She stated they have had a good relationship with the City for the past 5 years. She stated this year the City requested the Pena's take out a million dollar insurance policy which the City had never asked for before. Mrs. Pena also stated they have never had a problem at the fields and wanted to provide good adult clean fun.

Council Member Mayer stated it is mandatory for every organization to have insurance when utilizing City property.

Mayor Pro Tem Attaway stated Interim City Manager Mike Sullinger researched the Pena's payment history and found the Pena's had paid \$1,500.00 (Fifteen Hundred Dollars) in a five year period. He stated \$700.00 (Seven Hundred Dollars) a month was a reasonable fee.

Council Member Abrego made a motion to approve a Facility License Agreement for the softball field complex between the City of Aransas Pass and Roland Pena for a monthly fee of \$600.00 (Six Hundred Dollars) a month. Council Member Hyatt seconded the motion and the motion carried with Mayor Pro Tem Attaway voting no.

ITEM 8. PUBLIC HEARING ON REQUEST OF DERALD BURLINGTON FOR A CONDITIONAL USE PERMIT TO OPERATE AN ENGINE REPAIR SHOP. THE PROPERTY IS DESCRIBED AS LANDBLOCK 207, FARMLOT 6, LOT 10-B & 10-C MCPHERSON SUBDIVISION, 1726 W. WHEELER, ARANSAS PASS, TEXAS SAN PATRICIOCOUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

City Attorney Allen Lawrence opened the public hearing at 7:19 p.m. on the request of Derald Burlington for a Conditional Use Permit to operate an engine repair shop. The property is described as Landblock 207, Farmlot 6, Lot 10-B & 10-C McPherson Subdivision, 1726 W. Wheeler Street, Aransas Pass, Texas, San Patricio County. The property is zoned (GB) General Business district. He stated all notices were given and the Planning and Zoning Commission had previously met on the request and recommended City Council's approval. He asked Mr. Burlington to come forward and speak for his request.

Mr. Burlington stated he would work on engines inside the building. He stated he builds race car chassis an average of three a year. He stated his business hours would be from 8:00 am to 6:00 pm Monday thru Friday and 9:00 am to 2:00 pm on Saturdays. Mr. Burlington stated the only cars stored outside would be customer's cars.

The City Attorney asked was there any questions from the Council?

Council Member Mayer asked how loud the noise level would be.

Mr. Burlington stated the noise would be as loud as starting a Harley Davidson and would only start it about 6 times.

He asked was anyone present to speak in opposition of the request? Seeing none, he closed the Public Hearing at 7:26 p.m.

ITEM 9. CONSIDER AND ACT ON THE REQUEST OF DERALD BURLINGTON FOR A CONDITIONAL USE PERMIT TO OPERATE AN ENGINE REPAIR SHOP. THE PROPERTY IS DESCRIBED AS LANDBLOCK 207, FARMLOT 6, LOT 10-B & 10-C MCPHERSON SUBDIVISION, 1726 W. WHEELER, ARANSAS PASS, TEXAS SAN PATRICIOCOUNTY. THE PROPERTY IS ZONED (GB) GENERAL BUSINESS DISTRICT.

Mayor Pro Tem Attaway made a motion to approve a one year Conditional Use Permit for Derald Burlington to operate a small engine repair shop. Council Member Hyatt seconded the motion and the motion carried unanimously.

ITEM 10. CONSIDER AND ACT ON CITY OF ARANSAS PASS/GENERAL LAND OFFICE AMENDMENT TO DEED OF TRUST.

Mayor Knight stated the amendment to the Deed of Trust between the City of Aransas Pass and the General Land Office would allow two additional years for the City to clean up Conn Brown Harbor.

Attorney Allen Lawrence stated yes. He stated it would move the clean up date to the year 2013.

Council Member Mayer made a motion to approve an amendment to the Deed of Trust between the City of Aransas Pass and the Texas General Land Office. Mayor Pro Tem Attaway seconded the motion and the motion carried unanimously.

ITEM 5. PRESENTATION BY RICHARD GONZALES REGARDING THE ANNUAL FUNDRAISER FOR THE ARANSAS PASS NJROTC AND THE REDFISH BAY SEAGRASS FESTIVAL.

Richard Gonzales gave a presentation on the new annual Aransas Pass Navy Junior Reserve Officers Training Corp (NJROTC) fundraiser. He stated the fundraiser would be held at the Aransas Pass Moose Lodge located at the intersection of Highway 361 and FM 2725 on Tuesday, March 23, 2010 from 6:30 P.M. to 8:30 P.M.

Mr. Gonzales stated the Redfish Bay Seagrass Festival would be held at the Aransas Pass Civic Center located at 700 W. Wheeler on Friday, March 5, 2010 from 9:00 A.M. to 5:00 P.M.

ITEM 6. CONSIDER AND ACT ON REQUEST OF RICHARD GONZALES FOR A DONATION FOR THE REDFISH BAY TRASH PARADE AND COASTAL CLEAN-UP.

Council Member Mayer made a motion to approve the request of Richard Gonzales for a donation for the “Redfish Bay Trash Parade and Coastal Clean-up” in the amount of \$400.00. Mayor Pro Tem Attaway seconded the motion and the motion carried unanimously.

ITEM 11. CITIZEN'S COMMENTS.

There were none.

ITEM 12. ADJOURNMENT OF MEETING.

Mayor Pro Tem Attaway made a motion to adjourn the meeting. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 7:44 p.m.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary